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**(2) Purpose:**

- (a) This rulemaking incorporates rules from the General Occupational Health Standard, Chapter 296-62 WAC into the Safety Standards for Agriculture, Chapter 296-307 WAC. The rules are written using plain language and there is no increase in requirements.

The following requirements are adopted into the Safety Standards for Agriculture, Chapter 296-307 WAC:

- Biological agents
- Control chemical agents
- Emergency washing facilities
- Preparing material safety data sheets (MSDSs)
- Dipping and coating operations (dip tanks)

Also, the Occupational Safety and Health Administration identified three WAC sections (listed below) as being “not at least as effective as” their federal rules. Washington Industrial Safety and Health Act (WISHA) is required to be “at least as effective as” the federal rules, therefore we are incorporating these requirements into this rulemaking.

- WAC 296-307-40013, What requirements apply to the construction, original test, and requalification of nonrefrigerated containers?
- WAC 296-307-40015, How must nonrefrigerated containers and systems (other than DOT containers) be marked?
- WAC 296-307-40027, What emergency precautions are required when handling anhydrous ammonia?

**NEW WAC SECTIONS:**

**WAC 296-307-03930, Make sure emergency washing facilities are functional and readily accessible**

- Moved existing requirements relating to functional and readily accessible emergency washing facilities from WAC 296-62-130 to this section.

**WAC 296-307-03935, Inspect and activate your emergency washing facilities**

- Moved existing requirements relating to inspecting and activating emergency washing facilities from WAC 296-62-130 to this section.

**WAC 296-307-03940, Make sure supplemental flushing equipment provides sufficient water**

- Moved existing requirements relating to supplemental flushing equipment for emergency washing facilities from WAC 296-62-130 to this section.

**WAC 296-307-03945, Definitions**

- Moved the following definitions relating to emergency washing facilities from WAC 296-62-130 to this section:
  - Corrosive
  - Emergency washing facilities
  - Strong irritant
  - Toxic chemical

- Added the following definitions to this section for clarity:
  - Hand-held drench hose
  - Personal eyewash units

**WAC 296-307-445, Scope**

- Moved the scope relating to dipping and coating operations (dip tanks) from WAC 296-62-11021 to this section.

**WAC 296-307-45010, Provide proper ventilation for the vapor area**

- Moved requirements relating to providing proper ventilation for the vapor area from WAC 296-62-11021 to this section.

**WAC 296-307-45020, Take additional precautions when using an exhaust hood**

- Moved requirements relating to taking additional precautions when using an exhaust hood from WAC 296-62-11021 to this section.

**WAC 296-307-45030, Make sure employees working near dip tanks know appropriate first-aid procedures**

- Moved requirements relating to first-aid procedures from WAC 296-62-11021 to this section.

**WAC 296-307-45035, Prepare dip tanks before cleaning**

- Moved requirements relating to preparing dip tanks before cleaning from WAC 296-62-11021 to this section.

**WAC 296-307-45045, Protect employees during welding, burning, or other work using open flames**

- Moved requirements relating to protecting employees during welding, burning or other work using open flames from WAC 296-62-11021 to this section.

**WAC 296-307-45050, Protect employees that use liquids that may burn, irritate, or otherwise harm the skin**

- Moved requirements relating to protecting employees that use liquids that may burn, irritate, or otherwise harm the skin from WAC 296-62-11021 to this section.

**WAC 296-307-455, Additional requirements for dip tanks using flammable or combustible liquids**

- Added this section as a summary page listing all the WAC sections applicable to requirements for dip tanks that use flammable or combustible liquids.

**WAC 296-307-45505, Include additional safeguards when constructing dip tanks**

- Moved requirements relating to including additional safeguards when constructing dip tanks from WAC 296-62-11021 to this section.

**WAC 296-307-45510, Provide overflow pipes**

- Moved requirements relating to providing overflow pipes from WAC 296-62-11021 to this section.

**WAC 296-307-45515, Provide bottom drains**

- Moved requirements relating to providing bottom drains from WAC 296-62-11021 to this section.

**WAC 296-307-45520, Provide fire protection in the vapor area**

- Moved requirements relating to providing fire protection in the vapor area from WAC 296-62-11021 to this section.

**WAC 296-307-45525, Provide additional fire protection for large dip tanks**

- Moved requirements relating to providing additional fire protection for large dip tanks from WAC 296-62-11021 to this section.

**WAC 296-307-45535, Prevent static electricity sparks or arcs when adding liquids to a dip tank**

- Moved requirements relating to preventing static electricity sparks or arcs from WAC 296-62-11021 to this section.

**WAC 296-307-45540, Control ignition sources**

- Moved requirements relating to controlling ignition sources from WAC 296-62-11021 to this section.

**WAC 296-307-45545, Provide safe electrical wiring and equipment where the liquid can drip or splash**

- Moved requirements relating to providing safe electrical wiring and equipment from WAC 296-62-11021 to this section.

**WAC 296-307-45550, Keep the area around dip tanks clear of combustible material and properly dispose of waste**

- Moved requirements relating to keeping the area around dip tanks clear of combustible material and properly dispose of waste from WAC 296-62-11021 to this section.

**WAC 296-307-45555, Make sure heating the liquid in your dip tanks does not cause a fire**

- Moved requirements relating to making sure heating the liquid in your dip tank does not cause a fire from WAC 296-62-11021 to this section.

**WAC 296-307-45560, Make sure a heating system used for drying objects does not cause a fire**

- Moved requirements relating to making sure a heating system used for drying objects does not cause a fire from WAC 296-62-11021 to this section.

**WAC 296-307-45565, Make sure conveyor systems are safe**

- Moved requirements relating to making sure conveyor systems are safe from WAC 296-62-11021 to this section.

**WAC 296-307-460, Additional requirements for dip tanks used for specific processes.**

**Summary.**

- Added this section as a summary page listing all the WAC sections applicable to requirements for dip tanks used for specific processes.

**WAC 296-307-46005, Meet specific requirements if you use a hardening or tempering tank**

- Moved requirements relating to hardening or tempering tanks from WAC 296-62-11021 to this section.

**WAC 296-307-46025, Provide additional safeguards for vapor degreasing tanks**

- Moved requirements relating to providing additional safeguards for vapor degreasing tanks from WAC 296-62-11021 to this section.

**WAC 296-307-46030, Control liquid spray over an open surface cleaning or degreasing tank**

- Moved requirements relating to controlling liquid spray over an open surface cleaning or degreasing tank from WAC 296-62-11021 to this section.

**WAC 296-307-465, Definitions**

- Added the following definitions relating to dip tanks to this section for clarity:
  - ACGIH
  - Adjacent area
  - ANSI
  - Approved
  - Autoignition temperature
  - Combustible liquid
  - Detearing
  - Dip tank
  - Flammable liquid
  - Flashpoint
  - Lower flammable limit
  - NFPA
  - Vapor area
  - You

**WAC 296-307-560, Scope**

- Moved the scope relating to the content and distribution of Material Safety Data Sheets (MSDSs) and Label information from WAC 296-62-054 to this section.

**WAC 296-307-56005, Hazard evaluation**

- Added this section as a summary page listing all the WAC sections applicable to hazard evaluations.

**WAC 296-307-56010, Conduct complete hazard evaluations**

- Moved requirements relating to conducting complete hazard evaluations from WAC 296-62-05402, 296-62-05404, 296-62-05406 and 296-62-05408 to this section.

**WAC 296-307-56015, Provide access to hazard evaluation procedures**

- Moved requirements relating to providing access to hazard evaluation procedures from WAC 296-62-05402 to this section.

**WAC 296-307-56020, Material safety data sheets**

- Added this section as a summary page listing all the WAC sections applicable to material safety data sheets.

**WAC 296-307-56025, Develop or obtain material safety data sheets (MSDSs)**

- Moved requirements relating to developing or obtaining material safety data sheets from WAC 296-62-05404, 296-62-05406 and 296-62-05408 to this section.

**WAC 296-307-56030, Provide MSDSs for products shipped, transferred or sold over-the-counter**

- Moved requirements relating to providing MSDSs for products shipped, transferred or sold over-the-counter from WAC 296-62-05412 to this section.

**WAC 296-307-56035, Follow-up if an MSDS is not provided**

- Moved requirements relating to a follow-up if an MSDS is not provided from WAC 296-62-05412 to this section.

**WAC 296-307-56040, Labeling**

- Moved requirements relating to labeling from WAC 296-62-05410 to this section.

**WAC 296-307-56045, Label containers of hazardous chemicals**

- Moved requirements relating to labeling containers of hazardous chemicals from WAC 296-62-05410 to this section.

**WAC 296-307-56050, Definitions**

- Moved the following definitions from WAC 296-62-054 to this section for clarity:
  - Article
  - Chemical
  - Chemical name
  - Common name
  - Designated representative
  - Hazardous chemical
  - Identity
  - Importer
  - Manufacturer
  - Material safety data sheets (MSDSs)
  - Mixture
  - Use
- Added the following definitions for clarity:
  - Combustible liquid
  - Commercial account
  - Compressed gas
  - Container
  - Distributor
  - Explosive
  - Flammable
  - Flashpoint
  - Hazard warning
  - Health hazard
  - Label
  - Organic peroxide
  - Oxidizer
  - Permissible exposure limits (PELs)
  - Physical hazards
  - Produce
  - Pyrophoric
  - Responsible party
  - Retailer
  - Threshold limit values (TLVs)
  - Unstable (reactive)
  - Water-reactive
  - Wholesaler

**AMENDED WAC SECTIONS:**

**WAC 296-307-009 What definitions apply to this chapter?**

- Added the following definitions to this section:
  - Biological agents
  - Chemical agents (airborne or contact)

**WAC 296-307-018, What are the employer's responsibilities?**

- Moved requirements relating to controlling chemical agents from WAC 296-62-07005 to this section as subsection (9).
- Moved requirements relating to biological agents from WAC 296-62-080 to this section as subsection (10).

**WAC 296-307-40013, What requirements apply to the construction, original test, and requalification of nonrefrigerated containers?**

- Requirements for how the containers need to be constructed and tested were inadvertently left out of this WAC section. The Occupational Safety and Health Administration identified this as being "not at least as effective as" their federal rules. Washington Industrial Safety and Health Act (WISHA) is required to be "at least as effective as," therefore we are incorporating these requirements into this section.

**WAC 296-307-40015, How must nonrefrigerated containers and systems (other than DOT containers) be marked?**

- Requirements for refrigerated containers were inadvertently left out of this WAC section. The Occupational Safety and Health Administration identified this as being "not at least as effective as" their federal rules. Washington Industrial Safety and Health Act (WISHA) is required to be "at least as effective as," therefore we are incorporating these requirements into this section.

**WAC 296-307-40027, What emergency precautions are required when handling anhydrous ammonia?**

- Requirements for at least two gas masks being readily accessible were inadvertently left out of this WAC section. The Occupational Safety and Health Administration identified this as being "not at least as effective as" their federal rules. Washington Industrial Safety and Health Act (WISHA) is required to be "at least as effective as," therefore we are incorporating these requirements into this section.

**WAC 296-307-450, General requirements. Summary.**

- Amended this section to include a summary page listing all the WAC sections applicable to general requirements for dipping and coating operations (dip tanks).

**WAC 296-307-45005, Construct safe dip tanks**

- Deleted existing language and clarified requirements relating to constructing safe dip tanks.

**WAC 296-307-45015, Take additional precautions if you recirculate ventilation system exhaust air into the workplace**

- Deleted existing language and clarified requirements relating to taking additional precautions if you recirculate ventilation system exhaust air into the workplace.

**WAC 296-307-45025, Periodically inspect your dip tanks and associated equipment and correct any deficiencies**

- Deleted existing language and clarified requirements relating to periodic inspecting dip tanks.

**WAC 296-307-55030, Inform and train your employees about hazardous chemicals in your workplace**

- Corrected formatting errors.

**REPEAL WAC SECTIONS:**

**WAC 296-62-054, Manufacturers, importers and distributors – Hazard communication.**

- Requirements in this section have been rewritten and moved to WAC 296-307-560 through 296-307-56050. Repealed this section.

**WAC 296-62-05402, Determine whether the chemicals you produce in your workplace or import are hazardous.**

- Requirements in this section have been rewritten and moved to WAC 296-307-560 through 296-307-56050. Repealed this section.

**WAC 296-62-05404, Use these criteria in making hazard determinations.**

- Requirements in this section have been rewritten and moved to WAC 296-307-560 through 296-307-56050. Repealed this section.

**WAC 296-62-05406, Determine whether the chemicals you produce or import are health hazards.**

- Requirements in this section have been rewritten and moved to WAC 296-307-560 through 296-307-56050. Repealed this section.

**WAC 296-62-05408, Obtain or develop a material safety data sheet for each hazardous chemical you produce or import.**

- Requirements in this section have been rewritten and moved to WAC 296-307-560 through 296-307-56050. Repealed this section.

**WAC 296-62-05410, Label clearly each container of hazardous chemicals that leaves your workplace.**

- Requirements in this section have been rewritten and moved to WAC 296-307-560 through 296-307-56050. Repealed this section.

**WAC 296-62-05412, Provide material safety data sheets.**

- Requirements in this section have been rewritten and moved to WAC 296-307-560 through 296-307-56050. Repealed this section.

**WAC 296-62-070, Chemical agents (airborne or contact).**

- Definitions in this section have been moved to WAC 296-307-009. Repealed this section.

**WAC 296-62-07001, Definitions (airborne chemical agents).**

- Definitions in this section have been moved to WAC 296-307-009. Repealed this section.

**WAC 296-62-07003, Definitions (contact chemical agents).**

- Definitions in this section have been moved to WAC 296-307-009. Repealed this section.

**WAC 296-62-07005, Control of chemical agents.**

- Requirements in this section have been rewritten and moved to WAC 296-307-018. Repealed this section.

**WAC 296-62-080, Biological Agents**

- Requirements in this section have been rewritten and moved to WAC 296-307-018. Repealed this section.

**WAC 296-62-11021, Open surface tanks**

- Requirements in this section have been rewritten and moved to Chapter 296-307 WAC, Part U-3. Repealed this section.

**WAC 296-62-130, Emergency Washing Facilities**

- Requirements in this section have been rewritten and moved to Chapter 296-307 WAC, Part B. Repealed this section.

**WAC 296-307-45001, What general requirements apply to hazardous materials and flammable and combustible liquids?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45003, What requirements apply to dip tanks containing flammable or combustible liquids?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45007, What requirements must ventilation systems meet?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45009, What general requirements apply to the construction of dip tanks?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45011, How must overflow pipes for dip tanks be constructed?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45013, How must bottom drains of dip tanks be constructed?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45017, What measures must an employer take to prevent hazards from electrical and other ignition sources?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45019, How must dip tanks be operated and maintained?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45021, What requirements must fire extinguishing systems meet?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45023, What requirements apply to hardening and tempering tanks?**

- Requirements in this section have been rewritten and moved to WAC 296-307-445 through 296-307-465. Repealed this section.

**WAC 296-307-45027, What requirements apply to electrostatic apparatus?**

- Repealed this section.

**WAC 296-307-45029, What requirements apply to roll coating applications?**

- Repealed this section.

**(3) Citation of existing rules affected by this order:**

**AMENDED SECTIONS:**

**Chapter 296-307 WAC, Safety Standard for Agriculture**

- WAC 296-307-009 What definitions apply to this chapter?



- WAC 296-307-018, What are the employer's responsibilities?
- WAC 296-307-40013, What requirements apply to the construction, original test, and requalification of nonrefrigerated containers?
- WAC 296-307-40015, How must nonrefrigerated containers and systems (other than DOT containers) be marked?
- WAC 296-307-40027, What emergency precautions are required when handling anhydrous ammonia?
- WAC 296-307-450, General requirements. Summary.
- WAC 296-307-45005, Construct safe dip tanks
- WAC 296-307-45015, Take additional precautions if you recirculate ventilation system exhaust air into the workplace
- WAC 296-307-45025, Periodically inspect your dip tanks and associated equipment and correct any deficiencies
- WAC 296-307-55030, Inform and train your employees about hazardous chemicals in your workplace

**REPEALED SECTIONS:**

**Chapter 296-62 WAC, Occupational Safety and Health Standards**

- WAC 296-62-054, Manufacturers, importers and distributors – Hazard communication.
- WAC 296-62-05402, Determine whether the chemicals you produce in your workplace or import are hazardous.
- WAC 296-62-05404, Use these criteria in making hazard determinations.
- WAC 296-62-05406, Determine whether the chemicals you produce or import are health hazards.
- WAC 296-62-05408, Obtain or develop a material safety data sheet for each hazardous chemical you produce or import.
- WAC 296-62-05410, Label clearly each container of hazardous chemicals that leaves your workplace.
- WAC 296-62-05412, Provide material safety data sheets.
- WAC 296-62-070, Chemical agents (airborne or contact).
- WAC 296-62-07001, Definitions (airborne chemical agents).
- WAC 296-62-07003, Definitions (contact chemical agents).
- WAC 296-62-07005, Control of chemical agents.
- WAC 296-62-080, Biological Agents
- WAC 296-62-11021, Open surface tanks
- WAC 296-62-130, Emergency Washing Facilities

**Chapter 296-307 WAC, Safety Standards for Agriculture**

- WAC 296-307-45001, What general requirements apply to hazardous materials and flammable and combustible liquids?
- WAC 296-307-45003, What requirements apply to dip tanks containing flammable or combustible liquids?
- WAC 296-307-45007, What requirements must ventilation systems meet?
- WAC 296-307-45009, What general requirements apply to the construction of dip tanks?
- WAC 296-307-45011, How must overflow pipes for dip tanks be constructed?
- WAC 296-307-45013, How must bottom drains of dip tanks be constructed?
- WAC 296-307-45017, What measures must an employer take to prevent hazards from electrical and other ignition sources?
- WAC 296-307-45019, How must dip tanks be operated and maintained?
- WAC 296-307-45021, What requirements must fire extinguishing systems meet?
- WAC 296-307-45023, What requirements apply to hardening and tempering tanks?
- WAC 296-307-45027, What requirements apply to electrostatic apparatus?
- WAC 296-307-45029, What requirements apply to roll coating applications?